

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KRIS K. BENNETT,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT  
OF CORRECTIONS, *et al.*,

Defendants.

CASE NO. 3:21-cv-05153-JCC-JRC

ORDER DENYING PLAINTIFF'S  
MOTION TO AMEND  
COMPLAINT

Before the Court is plaintiff's motion to amend the complaint. Dkt. 7. Plaintiff Kris K. Bennet, proceeding *pro se*, paid the filing fee and his complaint was filed on March 10, 2021. *See* Dkt. 3. Plaintiff may still amend his complaint as a matter of right. *See* Fed. R. Civ. P. 15(a)(1). However, plaintiff has not provided the Court with a proposed amended pleading in support of his motion. *See* Local Civil Rule 15 ("A party who moves for leave to amend a pleading, or who seeks to amend a pleading by stipulation and order, must attach a copy of the proposed amended pleading as an exhibit to the motion or stipulation."). Plaintiff seeks to supplement his prior complaint, but an amended pleading operates as a complete substitute for

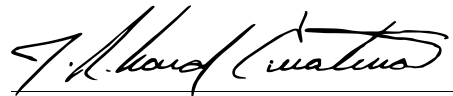
1 the original complaint. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992) (citing *Hal*  
2 *Roach Studios v. Richard Feiner & Co.*, 896 F.2d 1542, 1546 (9th Cir. 1990)). “All causes of  
3 action alleged in an original complaint which are not alleged in an amended complaint are  
4 waived.” *Marx v. Loral Corp.*, 87 F.3d 1049, 1055-56 (9th Cir. 1996) (quoting *King v. Atiyeh*,  
5 814 F.2d 565 (9th Cir. 1987)).

6 In order to amend his complaint, plaintiff must file a complete amended complaint, and  
7 not a supplement. Plaintiff shall present the amended complaint on the form provided by the  
8 Court. The amended complaint must be legibly rewritten or retyped in its entirety, it should be an  
9 original and not a copy, it should contain the same case number, and it may not incorporate any  
10 part of the original complaint by reference. The amended complaint will act as a complete  
11 substitute for the original complaint and not as a supplement.

12 Therefore, plaintiff’s motion to amend the complaint is denied without prejudice,  
13 meaning that plaintiff can file a new motion with a complete amended complaint as described  
14 above.

15 The Clerk is directed to send plaintiff this Order along with the appropriate forms for  
16 filing a 42 U.S.C. § 1983 civil rights complaint.

17 Dated this 19th day of July, 2021.

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20 J. Richard Creatura  
21 Chief United States Magistrate Judge  
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